

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

EVAN BRIAN CROCKER, on behalf of
himself and all those similarly situated,

Plaintiff,

V.

NAVIENT SOLUTIONS, LLC, NAVIENT
CREDIT FINANCE CORPORATION,

Defendants.

Chapter 7

Case No. 15-35586 (DRJ)

Adv. Pro. No. 16-03175 (DRJ)

DISTRICTWIDE CLASS ACTION

**EMERGENCY MOTION TO WITHDRAW AUSTIN C. SMITH OF THE SMITH LAW
GROUP LLP AND THE SMITH LAW GROUP LLP
AS COUNSEL OF RECORD AND INTERIM CLASS COUNSEL**

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN TWENTY-ONE (21) DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

EMERGENCY RELIEF HAS BEEN REQUESTED. IF THE COURT CONSIDERS THE MOTION ON AN EMERGENCY BASIS, THEN YOU WILL HAVE LESS THAN 21 DAYS TO ANSWER. IF YOU OBJECT TO THE REQUESTED RELIEF OR IF YOU BELIEVE THAT THE EMERGENCY CONSIDERATION IS NOT WARRANTED, YOU SHOULD FILE AN IMMEDIATE RESPONSE.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

Austin C. Smith of the Smith Law Group LLP and the Smith Law Group LLP hereby voluntarily withdraw as counsel of record and as Interim Class Counsel in the above-styled action.

Austin C. Smith was admitted *pro hac vice* and appointed by the Court as Interim Class Counsel. The parties have had an amicable disagreement about case strategy and all parties feel it is in the best interest of the putative class for counsel to share once voice. Smith and the Smith Law Group LLP withdraw with a reservation of rights to share in any future award of costs and fees incurred during the prosecution of this case. All counsel previously enrolled on behalf of plaintiffs will remain as counsel of record, and Interim Class Counsel will otherwise remain the same. Notice may be sent to the Agreed Order List pursuant to its rules and customs to advise of the withdrawal of Austin C. Smith of the Smith Law Group LLP and the Smith Law Group LLP.

Dated: February 9, 2021.

Respectfully submitted,

By: /s Jason Burge
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Counsel to Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 9th day of February, 2021, a true and correct copy of the *Emergency Motion To Withdraw Austin C. Smith of The Smith Law Group LLP and The Smith Law Group LLP as Counsel of Record and Interim Class Counsel* was served via that Court's electronic case filing system (CM/ECF) to all parties registered to receive such notice in the above-captioned proceeding.

/s/ Jason W. Burge